

IN THE CIRCUIT COURT OF LAMAR COUNTY, MISSISSIPPI

BRETT LORENZO FAVRE

PLAINTIFF

VERSUS

SHANNON SHARPE

FILED CIVIL ACTION NO. 37:23CV031

LAMAR
COUNTY

FEB 09 2023

CIRCUIT
CLERK

DEFENDANT



COMPLAINT

COMES NOW, Plaintiff, Brett Lorenzo Favre (“Favre” or “Plaintiff”), by and through the undersigned legal counsel, and files his complaint against Defendant, Shannon Sharpe (“Sharpe” or the “Defendant”). In support thereof, Favre alleges as follows:

JURY TRIAL DEMAND

Pursuant to Miss. R. Civ. P. 38 and Miss. Const. Art. 3, § 31, Favre asserts his constitutional right to trial by jury.

NATURE OF THE CASE

1. Defendant Sharpe, on his popular national sports television program, which has an audience of hundreds of thousands of viewers daily, has made egregiously false and defamatory statements that Favre, the Hall of Fame quarterback and native son of Mississippi, was a “sorry mofo to steal from the lowest of the low” that Favre was “taking from the underserved [in Mississippi],” and that “[Favre] stole money from people that really needed that money.” There is no basis anywhere for these outrageous falsehoods, which Sharpe made knowing that they were false or, at a minimum, with reckless disregard for the fact that they were false.

2. Favre brings this action to clear his good name and to redress the injury to his reputation caused by Sharpe’s false and defamatory statements.

EXHIBIT
A

3. Favre is a retired professional athlete who played in the National Football League (“NFL”) for over 20 years, primarily as the Green Bay Packers’ quarterback. Favre has since been engaged in endorsing various products and businesses, making appearances at events, and hosting a radio show on SiriusXM. Favre has also focused on charities and causes that are important to him. This included his Favre 4 Hope Foundation, which he and his wife Deanna founded in 1995 and through which he has contributed millions of dollars to charities across his home state of Mississippi and elsewhere, including Make-A-Wish Foundation of America, Hope Haven, and Ribbon of Hope. Favre also has supported various causes, including his alma mater, The University of Southern Mississippi (“Southern Miss”), and the development of medication to treat and prevent concussions, an all-too-common football injury.

4. Sharpe, also a retired NFL player, is the co-host of a national weekday sports talk television show, Skip and Shannon: Undisputed (“Undisputed”).

5. In September 2022, Sharpe made statements on Undisputed falsely accusing Favre of “steal[ing] from the lowest of the low,” “taking from the underserved [in Mississippi]” and that “[Favre] stole money from people that really needed that money.” Despite the fact that Favre had not done any of those things, Sharpe could not resist the opportunity to trade on Favre’s celebrity to make headlines and gain audience by sullyng Favre’s reputation.

6. Before filing this complaint, Favre sent Defendant Sharpe a letter demanding that Sharpe retract and apologize for his defamatory statements and cease and desist from making further defamatory falsehoods against Favre. Sharpe has failed and refused to do so.

7. Knowing or with reckless disregard for the fact that the statements were false, Sharpe accused Favre of committing serious crimes, and has refused to retract or apologize for these statements. Those false and malicious statements about Favre constitute defamation *per se*

and entitle Favre to compensatory damages for the harm he has suffered and punitive damages for Sharpe's reprehensible conduct.

PARTIES

8. Plaintiff, Brett Lorenzo Favre, is a private citizen and resident of Sumrall, Lamar County, Mississippi.

9. Defendant, Shannon Sharpe, is an individual domiciled in the State of Georgia, and may be served with process as authorized by law.

JURISDICTION AND VENUE

10. This Court has jurisdiction over this case pursuant to Miss. Const. Art. VI, § 156.

11. This Court has personal jurisdiction over Defendant pursuant to Mississippi Code Ann. § 13-3-57 because Defendant has committed a tort in whole or in part in Mississippi.

12. Venue is proper in this Court pursuant to Miss Code Ann. § 11-11-3(1)(a)(i) because a substantial event that caused the injury occurred in this County. Alternatively, venue is proper in this Court pursuant to Miss. Code Ann. § 11-11-3(1)(b) because Defendant is a nonresident and Plaintiff resides in Lamar County.

STATEMENT OF FACTS

A. Background

13. Favre was born and raised in Mississippi, and attended Hancock North Central High School in Kiln, Mississippi, graduating from The University of Southern Mississippi in 1990.

14. Favre went on to a highly successful career in the NFL, playing for over 20 years, primarily as quarterback for the Green Bay Packers. During his career, he had two Super Bowl appearances, including a victory in Super Bowl XXXI. He also earned three straight NFL Most Valuable Player Awards. Since retiring, Favre was inducted into the Pro Football Hall of Fame in 2016 and continued to be sought after by multiple companies, including Wrangler and

CopperFit, to endorse and appear in television commercials for their products. Favre has also co-hosted a regular radio show on SiriusXM, “The SiriusXM Blitz With Brett Favre and Bruce Murray,” and has made paid appearances at autograph signing and speaking events.

15. Favre has also focused on his charitable endeavors, including efforts to support his alma mater, Southern Miss, as well as his work with the Favre 4 Hope Foundation, which he and his wife Deanna founded in 1995 and through which he has contributed millions of dollars to charities across his home state of Mississippi and elsewhere, including such charities as Make-A-Wish Foundation of America, Hope Haven, and Ribbon of Hope. Favre also has supported various causes, including the development of medication to treat and prevent concussions, an all-too-common football injury.

B. Sharpe’s Egregious Falsehoods About Favre

16. Sharpe, also a retired NFL player, is the host of a national weekday sports talk television show, Undisputed. Clips from Undisputed are streamed on YouTube, and a podcast version of the show is available for download on various internet platforms, including Apple Podcasts, Google Podcasts, Spotify and TuneIn.

17. Since its inception in September 2016, Sharpe’s Undisputed has become one of Fox Sports 1’s (“FS1”) most popular shows, building a loyal following of hundreds of thousands of daily viewers. Video clips of Undisputed are also posted on YouTube and routinely receive tens of thousands of views.

18. On September 14, 2022, during an episode of Undisputed, which aired nationally on FS1 to over 130,000 viewers, Sharpe falsely accused Favre of serious crimes, stating:

- “The problem that I have with this situation, you’ve got to be a sorry mofo to steal from the lowest of the low”;

- “Brett Favre is taking from the underserved [in Mississippi]”; and
- “[Favre] stole money from people that really needed that money.”

19. Clips from this episode of Undisputed repeating Sharpe’s malicious and defamatory statements were posted to YouTube and received over 1 million views, a far greater viewership than the average clip of the show normally receives.

20. On February 3, 2023, counsel for Favre demanded that Sharpe retract and apologize for his defamatory statements. Sharpe refused, prompting Favre to file this action.

21. Sharpe’s false statements that Favre stole money from “the underserved” in Mississippi are malicious lies that injured Favre’s reputation and caused Favre financial harm by, among other things, diminishing Favre’s ability to generate income through endorsements, appearances at events or on radio and television programs, or hosting his own radio or television program.

22. Sharpe should be held responsible for his lies and compelled to pay Favre for the damage he has caused, as well as punitive damages for his reprehensible conduct.

CAUSE OF ACTION
(Defamation and Defamation Per Se)

23. Favre incorporates by reference all of the preceding paragraphs as if fully set forth herein.

24. Sharpe published the foregoing statements of purported fact referring specifically to Favre, by name, on an episode of his television show, Skip and Shannon: Undisputed—which is aired nationally for hundreds of thousands of viewers and is available for download via various other internet platforms, including Apple Podcasts, Google Podcasts, Spotify and TuneIn. Clips from this episode of Undisputed repeating Sharpe’s malicious and defamatory statements were posted to YouTube and received over 1 million views.

25. The foregoing statements by Sharpe were false in their particular details and in their gist and essence in the entire context in which they were made.

26. The foregoing statements by Sharpe were defamatory and slanderous, and in making the statements, Sharpe acted with actual malice, and with knowledge of the falsity of the defamatory statements, or at a minimum with reckless disregard for their falsity by purposefully avoiding the truth, and, in fact, lying that Favre committed what are serious crimes in the State of Mississippi.

27. The foregoing defamatory statements by Sharpe were not protected by any privilege.

28. The foregoing defamatory statements by Sharpe constitute defamation *per se* in that they were clearly directed at Favre and clearly and falsely state that Favre committed a crime by stealing from poor Mississippians. The foregoing defamatory statements by Sharpe also injured Favre's reputation and exposed him to public hatred, animus, contempt or ridicule, degraded him in society, lessened him in public esteem, or lowered him in the confidence of the community.

29. Sharpe made the defamatory statements of purported fact knowing they were false or, at a minimum, with reckless disregard for the fact that they were false.

30. As a proximate result of the publication of these false and defamatory statements, Favre has suffered damages in an amount to be determined at trial.

DAMAGES

31. Favre incorporates by reference all of the preceding paragraphs as if fully set forth herein.

32. Favre is entitled to nominal and general damages resulting from Sharpe's defamation, including compensation for injury to Favre's character and reputation.

33. Favre is also entitled to actual or special damages, including specifically the pecuniary loss suffered because of Sharpe's defamation.

34. In addition to the damages set forth above, Favre seeks to recover punitive or exemplary damages against Sharpe for his conduct, which constitutes malice. Further, Sharpe acted with a specific intent to cause injury to Favre or conscious indifference to the rights, safety, or welfare of Favre with actual, subjective awareness that Sharpe's conduct involved an extreme degree of risk of harm to Favre. Favre also seeks punitive and exemplary damages in order to punish and deter the outrageous conduct taken in heedless and reckless disregard for Favre's reputation and as a result of Sharpe's conscious indifference in harming his reputation.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Favre respectfully requests that this Court enter judgment awarding Plaintiff Favre the following relief:

- a. Nominal, general, actual/special, exemplary, and punitive damages as described above, in an amount to be determined at trial;
- b. The costs of litigation, including reasonable legal and consulting fees, expert witness fees, and any other costs deemed reasonable;
- c. Pre- and post-judgment interest at the maximum rate allowed by law;
- d. Such further and other relief, both general and special, at law or in equity, to which Plaintiff Favre may show himself justly to be entitled, or as this Court may deem appropriate; and
- e. Any other damages or other relief deemed just and proper.

RESPECTFULLY SUBMITTED, this the 9th day of February, 2023.

BRETT LORENZO FAVRE, Plaintiff

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